

MIDDLE DISTRICT OF ALABAMA

COURT REPORTER: Jimmy Dickens

 ARRAIGNMENT CHANGE OF PLEA CONSENT PLEA RULE 44(c) HEARING SENTENCINGPRESIDING MAG. JUDGE: Vanzetta Penn McPhersonDEPUTY CLERK: WANDA ROBINSONCASE NUMBER: 2:06cr123-MHTDEFENDANT NAME: Joseph Anthony GutierrezAUSA: A. Clark MorrisDEFENDANT ATTY: Kevin L. Butler

Type Counsel: () Waived; () Retained; () Panel CJA; (X) CDO

USPO: Jakki CapleDefendant _____ does x does NOT need and interpreter.Interpreter present? x NO YES Name: _____

- This is defendant's FIRST APPEARANCE. (Docket kia!!!)
- WAIVER OF INDICTMENT executed and filed.
- MISDEMEANOR INFORMATION filed.
- Juvenile Information filed w/Certificate that State Court refuses jurisdiction.

PLEA: Not Guilty Nol Contendere Not Guilty by reason of insanity

xGuilty as to:

XCount(s) 1, 2 of the Felony Indictment.

Count(s) _____ dismissed on oral motion of USA;
 to be dismissed at sentencing

X — ORAL ORDER ADJUDICATING GUILT as to COUNTS 1, 2

X— Written plea agreement filed. OPEN/ORAL Plea Agreement. ORDERED SEALED. No Plea
Agreement entered

— _____ Days to file pretrial motions. _____ Trial date or term.

— **ORDER:** Defendant Continued under same bond ; Released on Bond & Conditions of Release
 summons; for:

Trial on _____; Sentencing on _____ Bond to be set by Separate Order

x — **ORDER:** Defendant remanded to custody of U.S. Marshal for:

Posting a \$ _____ Bond;

Trial on _____; or Sentencing _____ x set by separate Order.

Rule 44 Hearing: Waiver of Conflict of Interest Form executed. Detention requests time to secure new counsel.